



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/695,124	10/28/2003	Arnold Sheynman	33692.03.2989	6103
23418	7590	05/10/2005	EXAMINER	
VEDDER PRICE KAUFMAN & KAMMHOLZ			TSE, YOUNG TOI	
222 N. LASALLE STREET			ART UNIT	
CHICAGO, IL 60601			PAPER NUMBER	

2637

DATE MAILED: 05/10/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/695,124

Applicant(s)

SHEYNMAN ET AL.

Examiner

YOUNG T. TSE

Art Unit

2637

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 October 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4, 8-11 and 15-20 is/are rejected.
- 7) ☒ Claim(s) 5-7 and 12-14 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 28 October 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 11172003.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Specification

1. The disclosure is objected to because of the following informalities: in paragraph [0001], Applicants are requested to update the filing date of the serial No. 10/331,290, which is filed on December 30, 2002. Appropriate correction is required.

Claim Objections

2. Claims 1-14 and 19-20 are objected to because of the following informalities:

In claim 1, line 2, "digital broadcast content" should be "the digital broadcast content".

In claim 6, line 1, "billing information" should be "the billing information".

Wherein the dependent claims 2-5 and 7-9 are directly or indirectly depended upon claim 1.

In claim 10, lines 4-5, "digital broadcast content" should be "the digital broadcast content"; line 11, "broadcast content" should be "digital broadcast content"; and line 12, "the mobile" should be "the mobile terminal".

In claim 11, lines 3 and 5, "the digitally broadcast content" and "edited pre-converted digital broadcast content" should be "the digital broadcast content" and "the edited pre-converted digital broadcast content", respectively.

Wherein claim 12 depends upon claim 10.

In claim 13, lines 4-5 and 6, "a mobile terminal" should be "the mobile terminal".

In claim 14, lines 4 and 5, "editing commands" and "the lower bandwidth" should be "the editing commands" and "lower bandwidth", respectively.

In claim 19, line 7, "the received content capture or editing commands" should be "the received content capture commands or the editing commands".

In claim 20, line 2, "received digital broadcast content" should be "the received digital broadcast content".

Appropriate correction is required.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claim 18 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The claimed subject matter of claim 18 is not understood.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States

only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claims 19 and 20 are rejected under 35 U.S.C. 102(e) as being anticipated by Ng et al..

Ng et al. (US 2003/0204850 A1) discloses a system in Figure 1 comprising a plurality of live event sites 106 each producing and transmitting a live video source; a live event director system 104 for receiving and combining each transmitted live video source in an overall transmission and transmitting the overall transmission for exhibition; a network operation center 102 coordinates encryption of the overall transmission at the live event director system and decryption of the overall transmission by at least one authorized exhibitor site 108.

Figure 4 shows the detailed embodiment of the live event director system 104 of the invention. The live event director system 104 acts as a hub for all of the live video from the live event sites 106. An uplink/downlink antenna 414 is provided to receive the incoming live video sources (represented by signal 416) from the plurality of live event sites 106 over links 110 and 114. The received live video sources are decrypted in conditional access, file level, decompressed and communicated to the editing system 402 where they are combined and manipulated to produce the edited overall transmission which will then be transmitted to the exhibitor systems 108 in a secure manner. All of the received video sources from the live event sites 106 received by the downlink antenna 414 are high quality (e.g., cinema quality) video signals.

The high quality video output of the editing system 402 is the edited overall transmission that will be received by the exhibitor systems 108. The output is passed

through a compression 424 unit, file and conditional access encryption 426 unit and then onto the uplink equipment 428 for transmission through the antenna 414. The edited overall transmission (represented by signal 420) can be broadcast out to all the exhibitor systems 108.

The live event director system 104 can be collocated with the network operation center 102, at a live event site 106 or at a studio, or it can be a stand alone system located at a separate location. Collocation will enable the system 104 to share equipment, such as the uplink/downlink antenna and/or exhibitor system 406. Alternately, if there is only one live event site 106, the live event director system 104 can be collocated with the live event site 106.

As discussed above with regard to the live event sites 106, bandwidth requirements of the overall system can also be reduced through a use of low bandwidth video source signals transmitted from the live event sites 106. The live event editing system 402 receives low resolution (such as 320 x 240) video from each live event site 106 through a low resolution link 408 (e.g., a high speed VPN). A processor 410 decrypts and decompresses the video streams and displays them on the monitors 412 for viewing. These low bandwidth transmissions are used to make editing decisions. The live event director system 104 can operate to enable and disable transmission of the counterpart high quality (high bandwidth signals) from each of the live event sites 106 as necessary to produce the edited overall transmission in high quality video. The live event director system 104 commands which live event site transmits (on-air) using a clock 404 as a common reference. Thus overall bandwidth usage can be reduced as

fewer than all the available live video sources will be received in high quality at a given time.

The director at the live event director system 104 will determine which live event site 106 video source is needed to transmit in high quality for use in the overall transmission based on communication (through the high speed VPN) and the low bandwidth video from all live event sites 106. A live event director control system 422 (which can be combined with the editing system 402) will send a message communicated over a control link 418 specifying which live event site will transmit next and at what referenced time. The control link 418 can be conveniently communicated over the same VPN connection, however, it can also be communicated over a separate secure connection, e.g. wireless, telephone, satellite or other suitable link. If there is a live event site 106A currently transmitting, it will stop transmission at the commanded referenced time, and the selected live event site 106B will start transmission at the commanded referenced time.

With respect to claim 19, the receiver of the live even directory system 104 receives digital broadcast content capture commands from the live event site 106 or the network operation center 102 and capturing or editing, by the live event editing system 402, received digital broadcast content based on the received content capture or editing commands, based on digital rights management data.

With respect to claim 20, the received digital broadcast content is converted into low bandwidth transmissions which are used to make editing decisions (paragraph [0052], lines 9-10) and the capture demands or the editing commands of the digital

broadcast content are transmitted by the uplink equipment 428 based on the low bandwidth transmissions.

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

9. Claims 1-4, 8-11, and 15-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ng et al..

With respect to claims 1, 10 and 15, most of the claimed subject matter is already discussed in claims 19 and 20 in section 6 above. In addition to claims 10 and 15, the receiver corresponds to the broadcast receiver, the decryption and the decompression correspond to the transcoder, the uplink 428 corresponds to the wireless transmitter, the

low Res. Conversion and decryption 410 corresponds to the copyright processor, and the live event editing system 402 corresponds to the broadcast content editor.

Although Ng does not explicitly show or suggest the recording of the received digital broadcast content prior the editing of the received digital broadcast content. Ng discloses a data storage circuit 206 in Figure 2 of the exhibitor system 108 and teaches that the data storage 206 can be used to store or record the entire event (i.e. the overall transmission), so, that it may also be replayed at the exhibited location at a later time. See paragraph [0035], lines 9-12.

Therefore, it would have been obvious to one of ordinary skill in the art to replace a storage device in Ng's live event director system 104 for the purpose of temporarily storing or recording the received digital broadcast content and later retrieving the stored received content by the live event editing system 402 for editing the retrieved digital broadcast content.

With respect to claims 2 and 9 the edited digital broadcast content is transmitted to the other systems as shown in Figure 1 by the uplink equipment 428.

With respect to claims 3, 4, 8, 11, and 16-17, as mentioned in claims 1, 10 and 15 above, it is obvious to one of ordinary skill in the art to store or record the received digital broadcast content or command by the broadcast receiver and later transmits the stored or recorded digital broadcast content or command to other systems by the uplink equipment 410.

Allowable Subject Matter

10. Claims 13 and 14 would be allowable if rewritten or amended to overcome the objection(s) set forth in this Office action.

11. Claims 5-7 and 12 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

12. The following is a statement of reasons for the indication of allowable subject matter: the prior art fails to show or suggest a method for utilizing digital broadcast content comprising synchronizing editing received digital broadcast content based on editing commands from a mobile terminal to edit pre-converted digital broadcast content to produce higher bandwidth edited digital broadcast content based on digital rights management data, or a control logic operative to generate billing information corresponding to an amount of digital broadcast content recorded in response to a recording notification command received from the mobile terminal.

Conclusion

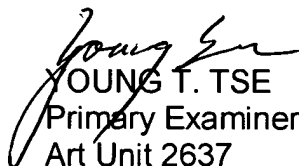
13. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

References Bigham et al., Logan et al., and Suzuki et al. are made of record as describing a related broadcast system comprising an editing circuit for editing digital broadcast content based on management data.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to YOUNG T. TSE whose telephone number is (571) 272-3051. The examiner can normally be reached on Monday and Wednesday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jay Patel can be reached on (571) 272-2988. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


YOUNG T. TSE
Primary Examiner
Art Unit 2637